

**DECLARATION AND POWER OF ATTORNEY**

Atty Docket No.: 1397-1-2CIP

Customer ID 25207

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Transcanal Cochlear Implant System, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of my foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing	Priority Claimed Under 35 U.S.C. §119	
			<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:


Application Number	Filing Date	Status
60/263,600	January 23, 2001	Pending
10/054,092	January 22, 2002	Allowed

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

POWER OF ATTORNEY: Jason A. Bernstein, Reg. No. 31,236, is hereby appointed to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to: Jason A. Bernstein  
POWELL, GOLDSTEIN, FRAZER & MURPHY LLP  
16<sup>th</sup> Floor.  
191 Peachtree Street, NE  
Atlanta, Georgia 30303-1736

Direct telephone calls to: (404) 572-6900

Full name of second inventor:	Byron Lee Boylston	Citizenship:	US
Residence:	219 Gerda Avenue, Holden Beach, NC 28462		
Post Office Address:	219 Gerda Avenue, Holden Beach, NC 28462		
Inventor's signature:		Date:	7/31/2003

Full name of sole or first inventor:	Manning Miles Goldsmith	Citizenship:	US
Residence:	5 Bluff Drive, Savannah, Georgia 31406		
Post Office Address:	5 Bluff Drive, Savannah, Georgia 31406		
Inventor's signature:		Date:	

**DECLARATION AND POWER OF ATTORNEY**Atty Docket No.: 1397-1-2CIP  
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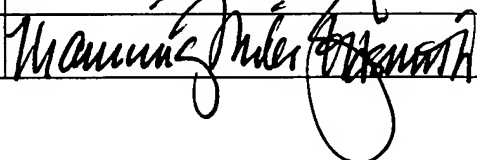
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

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Full name of second inventor:	Byron Lee Boylston	Citizenship:	US
Residence:	219 Gerda Avenue, Holden Beach, NC 28462		
Post Office Address:	219 Gerda Avenue, Holden Beach, NC 28462		
Inventor's signature:		Date:	

Full name of sole or first inventor:	Manning Miles Goldsmith	Citizenship:	US
Residence:	5 Bluff Drive, Savannah, Georgia 31406		
Post Office Address:	5 Bluff Drive, Savannah, Georgia 31406		
Inventor's signature:		Date:	8/3/03